

GOVERNMENT OF TELANGANA

ABSTRACT

MINORITIES WELFARE DEPT. – KAZIS ACT, 1880 (Central Act XII of 1880) –
Administration of Khazis Act, 1880 – Comprehensive Instructions/ Guidelines for appointment of Government Khazis in the State – Orders – Issued.

MINORITIES WELFARE (ESTT.I) DEPARTMENT

G.O.Ms.No.24.

Dated: 29th April, 2022.

Read the following:

- 1) Kazis Act, 1880 (Central Act XII of 1880).
- 2) D.O.Lr.No.185/Esst.I/2021-1, dated 15-01-2021.

ORDER:

Whereas, as per the Provisions of the Kazis Act, 1880, wherever it appears to the State Government that, any considerable number of the Muhammadans resident in any local area desire that one or more Kazis should be appointed for such local area, the State Government may, if it thinks fit, after consulting the principal Muhammadan residents of such local area, select one or more fit persons and appoint him or them to be Kazis for such local area.

2. Government after careful examination of the matter, hereby issue certain comprehensive instructions/guidelines for appointment of Khazis under the Provisions of Kazis Act, 1880, in the State as detailed below:

A. FREQUENTLY ASKED QUESTION (FAQs):

Certain common doubts relating to Khazis and their appointment, under the Kazis Act, 1880, and their clarification is Annexed to this order in the form of Frequently Asked Questions (FAQs) at Annexure-1 for reference.

B. PROCEDURE FOR APPOINTMENT OF KHAZIS BY THE GOVERNMENT:

STEP 1: APPLICATION/REQUISITION:

Application for appointment as a Government Khazi may be filed by a person who possesses the necessary qualifications along with supporting documents and letter of requisition by sufficient number of Principal Mohammadans of the local area for which the application is made. The applications and requisition shall be filed with the District Collector concerned of the District in which the local area falls.

STEP 2: SCRUTINY OF APPLICATION:

The District Collector will scrutinize the application to check whether the applicant is fit to be appointed as a Khazi by the Government.

STEP 3 : ENQUIRY/CONSULTATION WITH THE PRINCIPAL MOHAMMADAN RESIDENTS OF THE LOCAL AREA:

The District Collector will get an enquiry conducted through a suitable Officer to ascertain whether there is a need to appoint a Khazi for the said local area and if Khazi(s) were already appointed, if there is a need to appoint more number of Khazi(s) and whether a sufficient number of Principal Mohammadans of that local area are in favour of appointing the applicant as Khazi.

(P.T.O.).

STEP 4 : RECOMMENDATION OF CASE BY DISTRICT COLLECTOR TO THE GOVERNMENT:

In case the applicant is found to be fit for appointment as a Khazi **AND** on enquiry/consultation with principal Mohammadans it is determined that there is a need to appoint a Khazi and that a considerable number of Mohammadans are in favour of appointing the applicant as Khazi by the Government, then the Collector shall send his report to the Government duly recommending the case for appointment as Khazi along with the Check List prescribed appended to this Order at Annexure-2.

OTHERWISE:

The District Collector should issue order rejecting the application for appointment as a Government Khazi, duly recording the reason for doing so. The order should be issued to the applicant and a copy of the same should be marked to the Government.

STEPS 5 : The proposal received from the Collector will be processed further at the Government level, and, if accepted, orders appointing the applicant as Khazi will be issued by the Government. The said order shall be served through the District Collector concerned.

3. All the District Collectors in the State are requested to follow the above instructions/guidelines scrupulously while dealing with any application for appointment of Khazis by the Government and for submitting the proposals for appointment of Khazis to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**AHMAD NADEEM,
Principal Secretary to Government.**

To

All the District Collectors in the State.

Copy to:

The Director, Minorities Welfare, T.S., Hyderabad.

The Chief Executive Officer, Telangana State Waqf Board, Hyderabad.

The OSD to Hon'ble Minister (SCD., MW., DW., SCW).

The P.A. to Advisor to Govt., M.W.

The P.A. to Prl. Secy. to Govt., M.W. Dept.

(C.No.1084/Estt.I/2022)

Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-1

G.O.Ms.No.24, M.W. (Estt.I) Dept., dated:29-04-2022.

Frequently Asked Questions (FAQs)

1. Is the presence of the Government appointed Khazi necessary during any marriage or performance of any rite or ceremony ?

Ans: No. Mere appointment of Khazi(s) by the Government does not make it necessary that the presence of such Government appointment Khazis or Naib Khazis during Marriage or any rite or ceremony is compulsory. Nor does it prevent any person from discharging any of the functions of a Qazi.

2. Can there be more than one Government appointed Khazi for a local area ?

Ans: Yes. If a considerable number of the Muhammadan residents of the local area desire that more Khazis are required for the local area, and it appears to the Administration that their request is just, the administration after consulting the principal Muhammadan residents of that local area, may send the proposal for appointment of more Khazis than one.

3. What is meant by local area ?

Ans: Local area can be entire District or a part of the District. When it is part of the District it may comprise of one or more Revenue Villages **AND / OR** one or more Municipal Ward/Division. The local area must be clearly specified as

- (i) Entire District **OR**
- (ii) Revenue Division(s) in case of full Revenue Division **AND/OR**
- (iii) Mandal/Municipality/Municipal Corporation etc in case of full Mandal/Municipality/Municipal Corporation etc **AND/OR**
- (iv) Revenue Village / Ward / Division, in case of part of the Mandal/ Municipality/Municipal Corporation etc.

4. How does Administration know that there is a desire amongst a considerable number of Mohammadans resident in any local area that one or more Khazis be appointed by the Government ?

Ans: An application shall be made by either a person desirous of being appointed Khazi supported with letter(s) of some of the Principal Mohammadans of that local area or an application may be made by some of the Principal Mohammadans of the local areas expressing their desire to have one or more Khazis appointed by the Government duly enclosing the application of such person(s) to be appointed as Khazi(s).

5. How does the Government carry out the consultation with the Principal Mohammadans residents of the Local area ?

Ans: A summary enquiry may be conducted by Officer(s) as directed by the District Collector. The Officer(s) so directed may conduct general enquiries in the local area and prepare a record of such enquiry including statement(s) of the Principal Mohammadans so enquired.

There is no fixed number of Mohammadans who should be enquired with, however the number should be sufficient so as to conclude that a considerable number of Muhammadan residents of the area are in favour or otherwise.

(P.T.O.).

6. What are the General conditions and discipline applicable to the Khazis so appointed ?

Ans: The General conditions applicable to the Khazis are as follows:

- i) Will neither himself nor any of his Naib Khazi indulge in any unlawful Act/Misconduct in the exercise of his function as Khazi/Naib Khazi.
- ii) The Khazi shall be responsible for any unlawful act of his Naib Khazi in exercise of his function as Naib Khazi.
- iii) Shall not charge an amount above that fixed by Government/Waqf Board.
- iv) Should only appoint a fit person as Naib Khazi. A copy of the order appointing Naib Khazi, if any, should be furnished to the Government and concerned District Collector within 15 days of such appointment.
- v) Shall inform the Government if absenting from the Local area for which he is appointed for a continuous period of six months or more.
- vi) The Khazi appointment can be revoked by the Government basing on complaint/verification of records or in extreme cases without notice if malafide is established as per record.
- vii) The Khazi shall neither indulge in any illegal activity in the conduct of Marriages and religious rituals nor infringe any Law established by the Government.
- viii) The Khazi shall not carry out Marriages of any Minor and also not conduct Contract Marriages.
- ix) The Khazi shall not act, in any way, in which is prohibited in Islam or is not permissible in Islam.
- x) The Khazi or his Naib Khazi shall not perform any Marriage in any area beyond his specified Jurisdiction.
- xi) Government shall have the right to take disciplinary action against the Khazi, in case of any contravention of Law or of any conditions specified above and any violation are noticed with functioning of Marriages and religious rituals throughout the whole or in any portion of the local area for which he appointed, may suspend or remove the post of Khazi without any kind of notice.
- xii) Any other condition as decided by the Government.

**AHMAD NADEEM,
Principal Secretary to Government.**

SECTION OFFICER

ANNEXURE-2

G.O.Ms.No.24 , M.W. (Estt.I) Dept., dated: 29-04-2022.

CHECK LIST FOR APPOINTMENT AS GOVERNMENT KHAZI

Sl.No.	Description	Reply
1.	Name and address of the applicant	
2.	Area (jurisdiction) for which appointment as Khazi sought for	
3.	Whether any person / persons is /are working as Govt. Khazi (s) in the area in question, if so to justify the need for appointment of another Khazi	
4.	Whether the post of Khazi is vacant, if so the reason for the vacancy.	
5.	Whether the principal local Mohammedans have recommended for the appointment of the incumbent as Govt Khazi? (Consent letters to be obtained and enclosed)	
6.	Whether the individual has acquired requisite certificate (s), if any from any recognized Urdu / Arabic University, if so the details thereof. (Copies to be enclosed)	
7.	Whether the applicant is working/worked earlier as Naib Khazi and if so the details thereof (With proof)	
8.	What is the population of Muslim Minorities in the area in question	
9.	Whether is there any requirement for appointment of the present applicant as Govt. Khazi in addition to the existing Govt. Khazi;	
10.	If more than one applicant is seeking appointment as Govt. Khazi in the same area, please specify & furnish the demarcation of the area among the applicants with due justification. Also applicable in the case (s) where applicant (s) is seeking appointment in the area (s) where the Govt. Khazi already working.	
11.	Specific recommendations of the District Collector as to the appointment of the present applicant as Govt. Khazi	
12.	Remarks	

**Ink Signature of the District
Collector along with Official Seal
(Mandatory).**